

City Council/Planning Commission Site Visit, September 24, 2002

Emmett House, 843 Ralston Avenue, Ralston and El Camino Real, Belmont

SPECIAL MEETING: TIME 6:15 P.M.

STUDY SESSION – CITY COUNCIL AND PLANNING COMMISSION

SITE VISIT AT THE EMMETT HOUSE, 843 Ralston Avenue, Ralston and El Camino Real.

Councilmembers Present: Metropulos, Cook, Bauer and Warden, Wright

Councilmembers Absent: Wright (arrived 6:40 P.M. at Senior Center)

Planning Commissioners Present: Torre, Feierbach, Gibson, Frautschi

Staff members: City Manager Kersnar, Assistant City Manager Rich, Parks and Recreation Director Mittelstadt, City Attorney Savaree, Community Development Director Ewing, Recording Secretary Kern.

Adjourn to Senior and Community Center at 6:30 P.M. following tour of Emmett House.

Meeting not tape recorded

George Metropulos

Clerk Pro Tem

SPECIAL MEETING Study Session September 10, 2002

Twin Pines Senior and Community Center, 1223 Ralston Avenue

RECONVENE AT SENIOR AND COMMUNITY CENTER – 6:40 P.M.

C. Warden explained that the reason he had suggested this site visit was to develop some potential uses for this City-owned land, once the house was moved to another location.

City Councilmembers and Planning Commissioners discussed ideas for the site and everyone concurred a building would not work at this location. Some suggested ideas included: a mini park, water element, trees, parking, public art, and purchasing the land along Ralston up to the Bank and redeveloping the frontage. One suggestion was to have a land swap and

move the parking to Ralston and have these landscape elements closer to Emmett Street to a quieter location to maximize use.

One idea was to tunnel under Ralston Avenue which would create a flow between Block 4 and the Village Center.

City Manager Kersnar noted that it sounded as if some concepts indicated that this property should be developed along with the adjacent property.

Mr. Long, 857 South Road, stated that during earlier discussions regarding the Emmett House, he remembered that no one was in favor of putting parking in the space left. He said he thought that this area should pay homage to the origins of the Belmont retail community, and be named Emmett Plaza or Park.

C. Metropulos stated that he thought that this would be an appropriate location for a historical representation.

Community Development Director Ewing suggested taking these proposals to a brainstorming session with a community group, to develop specific options for this area.

C. Wright said he liked the idea of approaching the owners of the neighboring businesses with these various options, to determine if they had an interest in funding one of them. He said if the financial piece was taken care of, he could accept one of these options.

Community Development Director Ewing stated that he would meet with the owners of the Village Center to determine what their interest and concerns were regarding this site, and share the options that had been discussed. He noted that the project to move the Emmett House is still in the working stages.

Discussion regarding topics to be discussed at Joint City Council, Planning Commission Meeting on October 29, 2002.

Following discussion, Council concurred that discussion regarding the General Plan Update/visioning process, and review of the long-range plans for Downtown, would give everyone enough to discuss. Staff was directed to meet with Mayor/Vice Mayor, Chair/Vice Chair of the Planning Commission to focus the issues to be discussed and set the agenda for this meeting.

Adjournment at this time, being 7:20 P.M. this Study Session was adjourned.

George Metropulos

Clerk Pro Tem

Meeting was video taped and tape-recorded

Tape No. 535

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Metropulos, Cook, Wright, Bauer, Warden

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing, Public Works Director Davis, Police Chief Janke, Parks and Recreation Director Mittelstadt, Human Resources Director Dolan, Recording Secretary Kern

PLEDGE OF ALLEGIANCE

Recording Secretary Kern led the Pledge of Allegiance.

ANNOUNCEMENT OF CLOSED SESSION held on August 27, 2002.

Mayor Warden reported that at the Closed Session held on August 27, 2002, direction was given, but no action taken.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Mr. Gross, 2156 Hallmark Drive, invited the Council to their annual block party and fun run on October 20th. He said the fundraiser would benefit the Belmont/Redwood Shores School District.

Ms. Qian member of Falun Gong, invited the Council to the California Falun Dafa Month ceremony, October 16, 2002.

Mr. Gibson, 3114 E. Laurel Creek, invited everyone to a hike in San Juan Canyon on September 28, starting a 10:00 am. He noted that Biology Professor Marshall from the Notre Dame de Namur University would lead the hike and explain the ecology of the canyon.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

C.Cook reported that she would be presenting a Proclamation to the Immaculate Heart of Mary Elementary School on the occasion of their 50th anniversary and the groundbreaking for the new Multipurpose room.

C.Wright reported that South Bayside System Authority had achieved a 98% rating for pretreatment compliance; the national average was 70%. He noted that cosmetics were considered a major pollutant.

C.Metropulos reported on the South County Fire Authority groundbreaking ceremony for Fire Station 14.

C. Warden displayed the plaque the City received for our outstanding recycle diversion rate, which was the highest in the County.

AGENDA AMENDMENTS

Mayor Warden announced that Consent Calendar Item 4-G (San Juan Preservation Trust funding).

would be removed for separate consideration.

CONSENT CALENDAR

Approval of meeting minutes: Special and Regular Meeting of August 27, 2002.

Approval of Warrant List Dated: September 6 in total amount of \$573,824.10 and dated September 13 in total amount of \$366,989.55.

Written Communication 1). Rec. 9/9 from PG&E Applic. for reimbursement of costs associated with delay in implementation of New Customer Info. System Caused by the 2002 20/20 Customer Rebate Program.

Motion to approve Claims Management Report. (None)

Motion to waive reading of Ordinances.

Resolution No. 9318 accepting work, approving Contract Change Orders Number 1, and 2, and authorization to Issue Notice of Substantial Completion for Sanitary Sewer Rehabilitation, Project, Basins 9,11,12, and 15 Pipeliners, Insituform Technologies, Inc. City Contract No. 400.

Resolution No. 9319 approving amendments to the City Conflict of Interest Code.

On motion by C. Cook, seconded by C. Metropulos, and approved unanimously, by show of hands to adopt Consent Calendar as amended.

Consideration of Motion to remove restriction on funding for San Juan Preservation Trust.

City Manager Kersnar reported that the \$30,000 that was given to the San Juan Preservation Trust had been restricted to be used for expenses related to land acquisition. He stated that their bylaws require that they acquire open space for donation to the City. The Trust has requested removal of this restriction. He explained that there had been conflicts of interest for various Councilmembers at the time, and the restriction removed that conflict. He noted that there wasn't any conflict with the current Council, but there may be other issues that should be discussed.

Mr. Gibson, President, San Juan Preservation Trust, stated that if they had had the flexibility to use this funding to purchase land, they might have been able to make a better offer for a large parcel that had been available. He noted that it would also simplify their bookkeeping.

C. Bauer stated that he was not in favor of taking the restriction off this funding. He said he would like the money used for marketing and fundraising, not property purchase.

C. Cook said that this action could be considered a change of policy. She reviewed the election that had taken place about this issue, and stated that the discussion centered on not spending money on land purchase, but to come up with ways to save property. The Trust was then formed to help come up with a plan to purchase land on behalf of the City, C. Cook said the other discussion was about giving grants to an organization to purchase land, and whether or not it circumvents the ability of the voters to decide whether or not to use public funds for this reason. She said she would not have a problem removing this restriction.

C. Bauer stated that he felt it was circumventing the will of the citizens, by giving funding to the Trust to purchase land.

C. Metropulos stated that he did not agree it was circumventing the will of the citizens. He said that it made sense to him, that if we support the trust with funding, we support their mission, which was to buy land.

C. Cook stated that funding was not usually restricted when granted to organizations, and she thought that by allowing the Trust to use this funding unrestricted, it would allow them greater flexibility to operate.

C. Wright stated he agreed with C. Bauer that this request falls into a different genre of use in funding public groups in terms of land purchase. He said he had voted for the funding for the operation of the Trust as a way to leverage the organization. C. Wright said his biggest concern is that there had not been a strategic conversation, as a public body, about funding open space. He said without that conversation, it appeared to be an incremental decision, which would not be the case if a plan had been discussed.

C. Warden stated that he remembered that four councilmembers could not vote if the money had been used to purchase land. The City Attorney had advised that if a caveat was added that the money would not be used to purchase land, the conflict would not be as critical and all five Councilmembers could participate. He said he was in favor of allowing the Trust to use the money for land purchase, because he thought the last Council would have voted for it, if the conflicts had not existed.

Action: on motion by C. Cook, seconded by C. Metropulos, and approved, by show of hands, on a vote of 3/2 (Wright and Bauer, no) to allow the San Juan Preservation Trust to use the money donated to them by the City for expenses related to land acquisition.

OLD BUSINESS

Biannual review of Council Priority Calendar – Step 2 Ranking of Issues.

Mr. Scheinman, 2034 Mezes Avenue, spoke in favor of building a small neighborhood park for the neighborhood around Mezes/Notre Dame/Hillman. He said there was one piece of City owned land that could be used, but it wasn't the best location for a park. He said that he had a petition signed by 50 families in support of this park concept. Mr. Scheinman said a feasibility study needed to be done to see if this location was safe before any more plans were discussed. He noted that some of the neighbors would be willing to help construct this park to offset costs. He requested that this study be a priority for Council.

Ms. Felschow, stated she was in favor of having a study done to determine if this was a good location for a neighborhood park for all the young families in the area.

Assistant City Manager Rich explained that this is the biannual process for reviewing and prioritizing current and proposed study items. He reported that the goal of the system was for Council to state their priorities for study, clarify the scope and timeline, and allow staff to do effective workload planning. He said staff would like Council to review and rank the project, and a study calendar would be distributed at the next meeting. Assistant City Manager Rich stated that of the 34 items that have been brought forward, staff was recommending the six items be placed "below the line" to be resubmitted, when the process is repeated in six months. He explained that the 1365 Fifth Avenue Study is being recommended by staff as a priority to study now, but two current items are being recommended to be placed "below the line": Department Goals and Shuttles.

Assistant City Manager Rich reported that the votes by individual commissioners were included as requested by Council at the last meeting. He explained that following the Council project voting, he would tally the votes and return later in the meeting to report back on the results.

Mr. Houts, 3208 Longfellow, requested that the Council consider the religious institution parking issue on the priority calendar. He said there are 16 parking spaces for a 3,300 sf building and it was impossible to drive through the area when the church was active.

Mr. Santana, 1625 Manzanita Avenue, spoke in support of keeping Patricia Warton Park high on the priority-ranking list. He said he has asked the neighbors adjacent to the park how they felt about upgrades and everyone was very supportive. He said that some of the neighbors were skeptical that this park would stay on the list because it had been taken off in the past.

Mr. Long, 857 South Road, Central Neighborhood Association, said that Patricia Warton Park was a high priority for the residents in this area. He said he would like the Council to focus on this request because the neighbors that have been waiting for years for this park to be upgraded.

Mr. Long also requested that the Council consider funding the City historic resources inventory. He noted that he lives in a historic home, but because the historic resources inventory has lapsed, it was his understanding that his home was no longer historic, so he could demolish his current house and replace it with two single family homes.

Dr. Lackey, 1713 Notre Dame, stated his concerns about the proposed park at Notre Dame and Winding Way because of the traffic in the area. He suggested that the traffic safety issues be investigated before any funding is put into plans for a park in that area.

Ms. Lackey, 1713 Notre Dame, stated her concerns about this area and its use as a proposed park at night. She reported that on weekends this area was used as a gathering place for people to race. She said she has had to clean up the area after these gatherings. Ms. Lackey said she was concerned that a park in this location would add to the problem that already exists in this area.

Mr. Troussieux, 1718 Notre Dame, stated that he was speaking as a neighbor to the proposed park, and reported that there was no lot at that location according to the assessment maps. He said that the land was right-of-way, and the City owns the property. He said the proposal calls for the adjacent owner to sell their land for the park, and they are not willing to sell.

Mrs. Cunningham, 1604 Notre Dame Avenue, stated her support of landscaping for Patricia Warton Park for the young families in the area. She said the neighbors would be willing to patrol the park to keep it safe and clean for the neighborhood. Mrs. Cunningham requested that this park be given a priority rating by Council.

Mr. Scheinman, 2034 Mezes Avenue, said he knew it was not an ideal location for the proposed park, but that was the only piece of City owned land available in the area. He said that he had meet with the neighborhood president and was willing to sit down and talk about the issues. He said that there maybe ways to make the park and the roadway safe so that everyone wins in this situation.

Mr. Kemella, 1711 Notre Dame Avenue, listed the criteria that he considered for his support of local neighborhood parks. He said they must be safe, not a nuisance to the adjacent neighbors, well maintained and attractive and add value to the neighborhood. Mr. Kemella said traffic was a concern in this area, and he would support a safety study for this area.

Mr. Boynton, 1804 Mezes Avenue, stated he was in support of the proposed park, and explained that his contractor has volunteered to help construct this park. He said that everyone on his block was in favor of this park if the study was completed.

Mr. Day, 1798 Parrott Drive, explained that he grew up across from this proposed park site and knew first hand about the traffic concerns in this area. He said that he was on the Parks and Recreation Commission when Patricia Warton Park was built and he was not proud of the way it had been maintained over the years. He said his fear was that this property would turn out just like that park, and become an attractive nuisance. He said that this

property had been involved in numerous accidents over the years because of its location, and he did not feel this was an optimum site for a park.

Recess at 8:45 P.M.

Resume at 8:50 P.M.

Mayor Warden explained that staff would like Council to approve the New Projects as submitted, if there weren't any amendments.

Action: on motion by C. Cook, seconded by C. Wright, and approved unanimously, by show of hands, to approve the new projects.

Mayor Warden explained that the rest of the projects needed to be ranked. He suggested that the Council go through the priority ranking lists and remove projects at this time.

CITY ATTORNEY

CONSIDERATION OF LOCAL ORDINANCE REGULATING THE NONDISCLOSURE OF CONFIDENTIAL CONSUMER INFORMATION FROM FINANCIAL INSTITUTIONS.

City Attorney Savaree explained that the County of San Mateo and Daly City had both adopted this privacy ordinance and were being sued in Federal Court. She said she might have more information with the next two months.

Council discussion ensued.

C. Cook made a motion to put this item below the line. This motion died for lack of a second.

C. Wright made a motion to drop this item from the list. This motion died for lack of a second.

Action: C. Warden made a motion to reconsider this item in two months; C. Metropulos seconded this motion. This motion was approved on a vote of 4/1 (Wright, no).

City Attorney Savaree stated that something critical might be brought forward in two months regarding this subject.

CITY MANAGER

NAMING RIGHTS TO CALTRAIN STATION

PARTNERSHIP WITH ORACLE, INC.

Following discussion Council agreed to drop these two items.

Action: on motion by C. Cook, seconded by C. Wright, and approved on a vote of 4/1 (Bauer no) to drop these two items.

C. Bauer made a substitute motion to keep the partnership with Oracle, Inc. This motion died for lack of a second.

COMMUNITY DEVELOPMENT

REGULATION OF CHILD CARE FACILITIES

Action: on motion by C. Warden, seconded by C. Wright, and approved unanimously, by show of hands to drop this item from list.

SIGN ORDINANCE

C. Bauer made a motion to drop this item. This motion failed for lack of a second.

VIEW PRESERVATION

Action: on motion by C. Cook, and seconded by C. Wright, and approved unanimously, by show of hands to drop this item from the list.

PARKS AND RECREATION DEPARTMENT

PARTNER WITH SCHOOL DISTRICT ON A PERFORMING ARTS CENTER

C. Warden stated that under the Parks and Recreation items he would like to suggest at a later time, an addition to the scope for the "Partnership with School District on a Performing Art Center". He said he would like to consider adding a Council Chamber to this item. He said the School District was interested in partnerships for multiple uses for that site.

TEEN CENTER

C. Warden said he understood that this and Barrett were ranked low because there wasn't any funding even if they were ranked higher.

TREE PLANTING PROGRAM

Action: on motion by C. Cook, seconded by C. Bauer, and approved on a vote of 4/1 (Metropulos, no), to drop this item.

PUBLIC WORKS

SIDEWALK POLICY

On motion by C. Bauer, to drop this policy. This motion died for lack of a second.

C. Cook stated that she would like Patricia Warton Park to move forward now and then do a feasibility study on the site for the other suggested park site.

C. Warden stated that when staff studies the church-parking ordinance, the church-parking problem on Longfellow, that was mentioned earlier, might be solved. He said the ratio study he had done on church parking ratios came out to be about the same as this location. He said he thought a minor change to the Zoning Ordinance was all that was needed.

C. Warden said he was going to rank the teen center high on the priority list, because he did not think they had enough things to do. He said if the whole Council did this, maybe something could be done sooner, rather than later.

C. Metropulos said he agreed with C. Cook about the parks issue. He said that if a petition had been signed, he was willing to do a feasibility study on this area to determine if a park is warranted at this location..

Recess at 9:30 P.M.

Reconvene at 9:35 P.M.

NEW BUSINESS

Consideration of Introduction of an Ordinance amending Chapter 7 of the City Code: adopting by reference the 2001 edition of the California Building Standards Code, California Code of Regulations Title 24 (CCR, T-24), incorporating the 1997 Uniform Building Code, Volumes 1 and 2, as published by the International Conference of Building Officials (ICBO), State Housing Law, the California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Section 32 (CCR,T-25), 1997 Uniform Administrative Code, 2000 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), 2000 Uniform Mechanical Code as published by the International Association of

Plumbing and Mechanical Officials (IAPMO), 1999 National Electrical Code as published by the National Fire Protection Agency (NFPA), 1997 Uniform Housing Code, Chapters 4,5,6, and Sections 701.2 and 701.3, 1997 Uniform Code For Building Conservation, and 1997 Uniform Code for the Abatement of Dangerous Buildings with amendments and modifications thereto.

Mayor Warden read the title of this ordinance in full as provided for by the Code.

Building Official Cyr reported that these codes would be used in Belmont for the next three years. He reported that this code is recommended by the State, along with local amendments unique to the City of Belmont. These amendments address the local geographic topographic, climatic conditions of the area. He noted that these proposed amendments had been reviewed and approved by the Peninsula Chapter of the International Code Council, the East Bay Chapter of ICC and the Monterey Chapter of ICC.

In response to C. Cook, Building Official Cyr stated that the State of California would not allow the City to adopt the international building codes.

In response to C. Bauer, Building Official Cyr stated that the Fire Code and Building Code would now be in conformance and that after November 1st, new construction over 2,500 sf will require automatic fire-sprinkler systems.

In response to C. Warden, Community Development Director Ewing explained that our Zoning Ordinance defines square footage differently from the Building Code. The Zoning Ordinance includes garages, porches, basements, etc. The definitions in these Codes relate to Building Code definitions. The definitions that the Council was familiar with were the Zoning definitions. These definitions were different, and subject to Council's control and have been amended at times.

City Manager Kersnar explained that the public hearing would be held on October 8th.

Action: on motion by C. Cook, seconded by C. Bauer, and approved unanimously, by show of hands to introduce this ordinance by title, waive further reading, and set the public hearing for October 8th for second reading and adoption.

Restructure Human Resources Department to Performance Budgeting.

Assistant City Manager Rich stated that after the Human Resources Department finishes with Performance Budgeting, the only Departments left to go through this process will be Public Works, and Community Development, including the hybrid Development Services

Human Resources Director Dolan outlined this restructure and gave an overview of Performance Budgeting as it effects her Department.

Mission Statement: Attract and maintain a positive, stable and productive workforce.

This is accomplished by attracting and hiring the best people to carry out the City's responsibilities, and providing programs and services necessary to maintain a productive positive and stable workforce. She said this was accomplished by proving a fair and competitive compensation and benefits program, training and development opportunities, a safe and healthy workplace, and good management and labor relations practices.

Human Resources Director Dolan outlined the Measures and Weights:

1. The first measure states the overall quality of the service provided to the customer, and because it is considered an important measure, it is given a weight of 5.

- 2 .The recruitment process focuses on the process directly under Human Resources control, from vacancy to interview. Human Resources Director Dolan explained that recruitment was key to the organization and was given a weight of 4.

3. Implementing Council policies for benefits and compensation has a direct and tangible impact on employees. Although processing the forms quickly and accurately is important, it is fairly routine, so therefore it was given a weight of 3.

4. The comprehensive training program that meets the needs and interests of the workforce is important. Human Resources Director Dolan explained that this measure evaluates the effectiveness of the available training and in encouraging the employees to attend. This step is between the employee and supervisor, so this measure is given a weight of 3.

5. The City is required to have an Illness and Injury Prevention Program. Our program has been recently updated, and this measure determines the specific action items being carried out in accordance with the plan. The

program is administered by various departments and therefore requires very little of Human Resource's time, so therefore it is a give a low weight of 2.

6. The Human Resources Department is fairly small relative to the overall budget, so this measure as given a weight of 2.

7. The effectiveness in promoting safe work practices and maintaining the worker's compensation program is a high level measure. Human Resources Director Dolan explained that the goal was to keep employees safe and healthy and prevent work related injuries from occurring. The employees' safety and well being is important, but the department cannot prevent injuries from occurring, so this measure is give a weight of 1.

C. Bauer stated he thought the Measure number 7, regarding the number of work-related disability hours maintained at the three-year rolling average, should have a higher Weight. He suggested a 2.

Action: On motion by C. Bauer, seconded by C. Cook, to revise the weight on Measure 7 from a 1 to a 2. This motion failed on a vote of 2/3 (Metropulos, Wright, Warden no).

Action: on motion by C. Wright, seconded by C. Cook, and approved unanimously, by show of hands to approve the Mission, Measures and Weights for the Human Resources Department, as presented.

Review of Rankings related to Priority Calendar.

Assistant City Manager Rich reported the Council project rankings. He explained that he would incorporate these findings into the project calendar and return at the next meeting for Council approval.

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Following Council discussion, Council concurred to appoint these two citizens to the Task Force.

Action: on motion by C. Wright, seconded by C. Metropulos, and approved unanimously, by show of hands to appoint: Mr. Lawhern and Ms. Dentler as at large members of the Green Task Force.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion and direction regarding amendment to Commission appointment procedure to allow appointment within one year of interviews. (C.Warden)

Following Council discussion, Council concurred this was an excellent suggestion and directed staff to return with language to add to the protocols for a procedure for appointment within one year.

ADJOURNMENT at this time, being 10:15 P.M.

George Metropulos

City Clerk Pro Tem

Meeting tape-recorded and videotaped.

Tape No. 535